

1 STATE OF NEVADA
2 LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT
3 RELATIONS BOARD
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5 STEVEN B. KILGORE,
6 Complainant,

7 vs.

8 CITY OF HENDERSON, HENDERSON
9 POLICE DEPARTMENT, and HENDERSON
10 POLICE OFFICER'S ASSOCIATION,
11 Respondents.

ITEM NO. 550B

CASE NO. A1-045763

ORDER

12 For Complainant: Richard I. Dreitzer, Esq.
Law Offices of Richard I. Dreitzer, Chtd.

13 For Respondent City: William E. Cooper, Esq.

14 For Respondent Association: Thomas D. Beatty, Esq.

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16 On May 5, 2003, Complainant STEVEN B. KILGORE (hereinafter "Kilgore") filed a
17 complaint with the LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT RELATIONS
18 BOARD (hereinafter "Board") and filed an amended complaint on August 7, 2003.

19 Respondent CITY OF HENDERSON (hereafter "City") filed a motion to strike the
20 amended complaint on August 20, 2003. Kilgore filed an opposition on September 2, 2003 and
21 Respondent HENDERSON POLICE OFFICER'S ASSOCIATION (hereafter "Association")
22 filed a motion to dismiss or strike the amended complaint and joinder in the City's motion on
23 September 8, 2003. The City filed their reply to the opposition on September 10, 2003.

24 The Board deliberated on the City's motion on September 11, 2003, noticed in
25 accordance with Nevada's Open Meeting Law. Based upon the deliberations,

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1 IT IS HEREBY ORDERED that the Motion to Strike the Amended Complaint is denied.
2 The previously filed Motion to Dismiss is not a "responsive" pleading per applicable statutes and
3 codes. Additionally, the factual allegations contained in the Amended Complaint do not
4 substantially prejudice the City in this action, and the amendment is not prohibited by law. NAC
5 288.235.

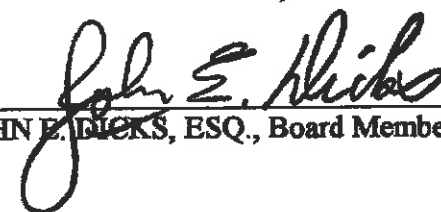
6 IT IS FURTHER ORDERED that the Complainant has leave of this Board to have filed
7 the Amended Complaint in this action, and the parties are hereby ordered to properly respond to
8 the same.

9 DATED this 11th day of September, 2003.

10 LOCAL GOVERNMENT EMPLOYEE-
11 MANAGEMENT RELATIONS BOARD

12 BY: 
13 JANET TROST, ESQ., Chairman

14 BY: 
15 TAMARA E. BARENGO, Vice-Chairman

16 BY: 
17 JOHN E. DICKS, ESQ., Board Member
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